

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
(W.D. WA. AT SEATTLE - MDL)

PAMELA S. SILVEY, et al.,

Plaintiffs,

v.

SMITHKLINE BEECHAM CORP.,

Defendant.

) CASE NO. C-1-01-164

)

) Judge HERMAN J. WEBER

)

) JUDGE BARBARA JACOBS

)

) ROTHSTEIN (MDL)

)

) MDL CASE NO. 1407

)

) **NOTICE OF DISCOVERY DEPOSITION**

)

) **DUCES TECUM OF LAURA**

)

) **SAUERBECK, R.N.**

)

Defendant SmithKline Beecham Corporation hereby gives notice pursuant to Rule 30 of the Federal Rules of Civil Procedure that it will take the deposition of Laura Sauerbeck, R.N., at the Cincinnati Marriott Rivercenter, 10 West RiverCenter Boulevard, Covington, Kentucky 41011 on Thursday, March 13, 2003 at 1:00 p.m. to be recorded by stenographic and/or sound and video recording. The deposition will continue from day to day until completed before an officer duly authorized to conduct such a deposition. A subpoena has been served upon the deponent to bring along the materials attached on the attached *Duces Tecum*.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert C. Tucker', is written over a horizontal line.

ROBERT C. TUCKER, Trial Attorney (0013098)

email: rtucker@arterhadden.com

EDWARD E. TABER (0066707)

email: etaber@arterhadden.com

ARTER & HADDEN LLP

1100 Huntington Building

925 Euclid Avenue

Cleveland, OH 44115-1475

Telephone: (216) 696-1100

Telefax: (216) 696-2645

Attorneys for Defendant

SmithKline Beecham Corporation

DUCES TECUM

Produce any and all documents representing, referring, or relating to the following. "You" or "Your" refers to Laura Sauerbeck, R.N. and includes affiliated entities which may be in possession of materials referenced herein, including but not limited to Ms. Sauerbeck's employer, The University of Cincinnati, the Stroke Research Center, and Joseph Broderick, M.D. If these documents are not in your possession but are available, you are required to obtain such documents and bring them with you to your deposition at the time and place set forth above:

1. A complete and updated copy of your Curriculum Vitae.
2. The complete and unredacted patient case file for Hemorrhagic Stroke Study Case No. 35-0080 (patient: Pamela S. Silvey; Date of Birth 2/1/63; Date of stroke January 15, 1998).
3. The complete and unredacted patient case file for any other medical study in which Laura Sauerbeck, R.N. or Joseph Broderick, M.D. have participated that involved in any way patient Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-0080; Date of Birth 2/1/63; Date of stroke January 15, 1998), including but not limited to Ms. Silvey's patient case file from the "Bethesda Tri-Health Good Samaritan Genetic and Environmental Risk Factors for Hemorrhagic Stroke" study (see attached).
4. Any and all records of any type, including but not limited to medical records, questionnaires, interview notes, proxy interview notes, medical reports, summaries, correspondence, radiologic imaging studies, video or audio tape recordings, photographs, pathology, computer data print-outs, electronic or computer recordings of such records or data, medical literature, epidemiologic data, or U.S. government documents that relate to Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-0080; Date of Birth 2/1/63; Date of stroke January 15, 1998).

5. All diaries, journals, personal notes, letters, calendars, books, and articles containing facts and/or dates relevant to any medical condition of Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-0080; Date of Birth 2/1/63; Date of stroke January 15, 1998).

6. Any and all documents, correspondence, electronic mails (please print out), recordings, notes, reports, or other items reflecting any communications with any person that reference, in whole or in part, Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-0080; Date of Birth 2/1/63; Date of stroke January 15, 1998), including but not limited to any such communications with Ms. Silvey, her family members, representatives, proxy, legal counsel, treating medical personnel, government agency personnel, medical literature publishing personnel, or other medical providers of any type, whether authored by you, received by you or otherwise.

7. A complete copy of any publications, papers, textbook articles, treatises, lecture hand-outs, lecture notes, Powerpoint presentations (please print out), or articles to be published at a later date, that include any epidemiologic data in which information related in whole or in part to Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-0080; Date of Birth 2/1/63; Date of stroke January 15, 1998) was included or is to be included in the future.

8. A complete copy of any protocols, guidelines, policies, procedure manuals, blank questionnaires, or any other material related to the procedure for conducting the study subject and proxy interviews that were conducted of Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-0080; Date of Birth 2/1/63; Date of stroke January 15, 1998) and her family members or proxy.

9. All documents or other evidence which identifies the manufacturer or distributor of any PPA containing product which Pamela S. Silvey (Hemorrhagic Stroke Study Case No. 35-

0080; Date of Birth 2/1/63; Date of stroke January 15, 1998) may have used within the last twenty (20) years (including without limitation packaging).

CERTIFICATE OF SERVICE

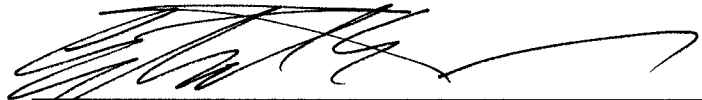
The foregoing **Notice of Discovery Deposition *Duces Tecum*** of Laura Sauerbeck, R.N. was sent by regular, postage prepaid U.S. Mail this 11TH day of March, 2003, to:

Janet G. Abaray, Esq.
Calvin S. Tregre, Jr., Esq.
Lopez, Hodes, Restaino, Milman,
Skikos & Polos
312 Walnut Street
Suite 2090
Cincinnati, Ohio 45202

Attorneys for Plaintiffs

E. Jason Atkins, Esq.
Hemmer Spoor Pangburn
DeFrank P.L.L.C.
250 Grandview Drive
Suite 200
Covington, Kentucky 41017

Attorney for Laura Sauerbeck, R.N.



*One of the Attorneys for Defendant
SmithKline Beecham Corporation*